

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of     )   Application No. P-0011  
Aquila, Inc., Omaha, Nebraska,         )  
seeking resolution of a dispute         )   PROGRESSION ORDER NO. 1  
under *Neb. Rev. Stat.* § 57-1306.        )  
  )  
  )   Entered: March 21, 2006

BY THE HEARING OFFICER:

O P I N I O N       A N D       F I N D I N G S

On February 17, 2006, an application was filed by Aquila, Inc., Omaha, Nebraska (Aquila) seeking a determination that the natural gas main extensions proposed by Metropolitan Utilities District (M.U.D.) to serve the planned Southern Pines subdivision (Southern Pines) are in violation of *Neb. Rev. Stat.* §§ 57-1301 et seq. M.U.D. filed an Answer on March 9, 2006.

In order to process the application, the parties conferred with Commission staff regarding a procedural schedule. As a result, a schedule for discovery, filing of witness and exhibit lists, and hearing date were agreed to by the parties.

The parties shall exchange written discovery no later than **5:00 p.m., April 7, 2006**. Responses to written discovery shall be due no later than **5:00 p.m., April 28, 2006**.

The parties shall exchange preliminary witness lists by **5:00 p.m., May 5, 2006**.

Final witness lists shall be exchanged by the parties and filed with the Commission and all depositions shall be completed by **5:00 p.m., May 19, 2006**.

All exhibits and stipulations shall be exchanged by the parties no later than **5:00 p.m., May 26, 2006**.

Finally, the hearing in Application No. P-0011 will be held on **June 7, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

Any remaining pre-hearing issues that the parties would like to address should be brought before the Commission prior to hearing.

O R D E R

IT IS THEREFORE ORDERED that the foregoing schedule for submission and service of the items discussed above is, hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. P-0011 will be held on **June 7, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 21st day of March, 2006.

BY THE HEARING OFFICER

Commissioner Frank Landis